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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,795	07/14/2003	Naoto Yanagihara	2003-0933A	4086

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EXAMINER

SMALLEY, JAMES N

ART UNIT PAPER NUMBER

3727

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,795

Applicant(s)

YANAGIHARA, NAOTO

Examiner

James N Smalley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 3-5 and 7-9 rejected under 35 U.S.C. 102(b) as being anticipated by Matsuoka JP 09199870.

Matsuoka '870 teaches a cassette swing door for an electronic device, comprising a rectangular plate (1), engagement pins (8) and (9), recess (unlabeled; see note below), and coiled spring with opposite end extensions (10) and (11).

Regarding the recess, Examiner notes the recess cannot be seen very well in the figures; however, noting the PAJ translation, we are taught in paragraph [0008], "The several mm clearance is open between the spring shaft (8) and the spring shaft (9). A spring (6) is a twist coil spring and arms (10) and (11) are extended. From the clearance between a spring shaft and a spring shaft, attachment of the spring to a cassette door contracts through and a spring to one side of a spring shaft, stuffs a spring into it, and lets it pass on the spring shaft of another side." It is clear the pivot pins/spring shafts (8) and (9) define a recess notched inward.

Examiner notes from the figures the engagement pins/spring shafts (8) and (9) are co-axial with the pivot pins (2) and (3); and it is further stated in paragraph [0008] of the PAJ translation, "...there are spring shafts (8) and (9) on the same axle mostly with a door shaft in middle." Door shafts are labeled (2) and (3). Thus, it is clear the reference anticipates engagement pins/spring shafts in alignment with a pivot axis of both of the opposite pivot pins/door shafts.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka JP 09199870 in view of Magnenat US 2,580,310.

Matsuoka '870 fails to teach a groove on a rear side of the plate for receiving one of the extensions of the coiled spring.

Magnenat '310 teaches grooves (33)/(34) for receiving and securing the ends of a biasing spring.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a groove on the back end of the plate of Matsuoka '870 for receiving the end of the coiled spring, as taught by Magnenat '310, motivated by the benefit of better securing the ends of the spring to the door.

6. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka JP 09199870 in view of Einhaus US 4,524,438.

Matsuoka '870 fails to teach a groove on a rear side of the plate for receiving one of the extensions of the coiled spring.

Einhaus '438 teaches grooves (18) and (22) for receiving ends of a coiled spring, and discloses in col. 3, lines 16-18 the grooves serve to "ensure that the dust cover remains positioned correctly."

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a groove on the back end of the plate of Matsuoka '870 for receiving the end of the coiled spring, as taught by Einhaus '438, motivated by the benefit of securing the spring in place.

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7. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka JP 09199870 in view of Haase US 2,557,048.

Matsuoka '870 fails to teach a groove on a rear side of the plate for receiving one of the extensions of the coiled spring.

Haase '048 teaches a groove (31) in a cover for receiving ends of a coiled spring.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a groove/slot on the back end of the plate of Matsuoka '870 for receiving the end of the coiled spring, as taught by Haase '048, motivated by the benefit of securing the spring in place.

Response to Arguments

8. Applicant's arguments with respect to claims 3-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

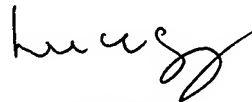
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James N Smalley whose telephone number is (571) 272-4547. The examiner can normally be reached on M-Th 9-6:30, Alternate Fri 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee Young can be reached on (571) 272-4549. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jns



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